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SIRHAN'S MOTIVES

Unlike Lee Harvey Oswald, Sirhan Sirhan has lived to tell of his motivation—but he has chosen to remain silent. The only other potential source of information is his family, which had not spoken to the press.

Mahmoud Abdel-Hadi, an Egyptian correspondent for Akhbar Elyoum in Cairo, recently gained access to Sirhan's family. Based upon information supplied him by the family, he has written exclusively for RAMPARTS *the following account of Sirhan's motivations and the strategy he plans for his trial.*

Because of the forthcoming trial and the difficulty of dealing with this subject without emotional involvement, the editors of RAMPARTS *have elected to present this information of historic interest to our readers without display, and in as objective a form as possible.*

BECAUSE I AM AN ARAB I was able to break through the barrier of suspicion that had stopped other journalists cold and obtain the first in-depth interviews the Sirhan family has given since the assassination. From their comments and from what Sirhan has said to them, a picture of the man and his motives begins to emerge, replacing the misleading portraits which have swamped the U.S. press.

The fact that Sirhan has not publicly discussed his trial is no accident. It is his own strategy, something he developed after thinking about it for long hours in his specially made jail cell. In fact, he has confided to his family that he will never make *any* statement unless special provisions are made for the courtroom proceedings. What Sirhan wants is, quite simply, publicity. He wants the major television networks to be allowed to broadcast the entire trial. If they do this, he says, he will tell all. "And if they refuse?" his brother Adel recently asked him. "Then I will go to the gas chamber—silent," Sirhan replied.

To understand why Sirhan is indeed capable of such an act, one must understand that he is first and foremost an Arab, born in Palestine and consumed with interest in the Middle Eastern conflict. He is deeply committed to making his trial a public and political forum for the Arab position.

Calm, educated, articulate and a voracious reader, Sirhan is confident about his own ability to cope with his predicament. His eldest brother, Shereif, told me that Sirhan studies the intricacies of his case as many as ten hours a day in his cell. Shereif recalls that Sirhan recently said to him, "I do not need a lawyer. I understand my case and know how to defend myself." But even so, Attorney Russell Parsons is defending his client, and doing it on Sirhan's own grounds. "The main issue," Parsons told me, "is to answer this question: why, for what reason, did Sirhan kill Robert Kennedy? There are 100 witnesses who saw Sirhan shooting Mr. Kennedy, but no one seems to know why he did it."

Sirhan and his attorney hope that the defense—presuming that the television networks are allowed into the courtroom—will show that Sirhan did not have "malice aforethought" in shooting Kennedy because the act was a political gesture, and that Kennedy, to Sirhan at least, was merely a symbol. His brother Adel notes that "if Sirhan was just an assassin, he could have done it in another way, just by having a gun with a telescope. He went to the Ambassador Hotel expecting to get caught; that is why he left his notes at home. I believe that Sirhan *wanted* to get caught so that he *could say what he believes*."

WHEN I FIRST TRIED to meet with the Sirhan family, I was refused. Security is extremely heavy around them, and they are understandably wary of new faces. Later, when I finally obtained an invitation to meet with them, Mrs. Sirhan apologized, I believe for having been inhospitable to a fellow Arab.

This family, which fled Jordan to seek greater safety and security than it had known, is now living in terror. They are somewhat at a loss to understand the events which have suddenly catapulted them into history. None of the four brothers goes to his job; they all feel that death follows them everywhere, and they move carefully, with a heavy guard. "Why don't you just leave this country?" I asked Shereif. "Where shall we go?" he answered. "To whom shall we leave our brother? Our land is under Israel's occupation." Shereif clarified his statement: "Our brother is in jail; we have to stay."

I sensed not only the Sirhans' confusion, but also some bitterness. They have not received any aid from the Arab countries, as they originally thought they might. Parsons is also somewhat surprised; he had hoped that the various local Arab consulates would help defray court costs.

Indeed, Los Angeles' Jordanian consul, who visited Sirhan in jail at Sirhan's request, indicated to me that the accused assassin had expected the Arab people to treat him as a hero. However, except for some Palestinian extremists, his act has been universally repudiated by the Arab world. One Arab newspaper has said editorially, "We don't feel any responsibility for this. It is the society that fed him with hostility, the society that gave him the gun that is responsible." Members of the Arab Students' Association, of which Sirhan was once an officer, feel that the killing of Kennedy was a terrible mistake. One of them said to me, "What are we going to do with the rest of the American candidates? Kill them all because they want to help Israel?"

Still, the Sirhans' friends are primarily Arab, and they live in an atmosphere that is more Arab than American. The entire family spent a good deal of time discussing the Arab-Israeli conflict. The mother says that Sirhan was the most sensitive and the most involved during these discussions. Adel tells that Sirhan once saw a television report of Robert Kennedy addressing the members of the Neveh Shalom Temple in Portland, Oregon. While in the synagogue, Kennedy, wearing a yarmulke, declared that the United States must help Israel against aggression from whatever source.

"Unlike the South Vietnamese," Kennedy said, "the Israelis have shown they are willing to fight for their own survival. Indeed, Israel is the very opposite of Vietnam: the Israeli government is very democratic, effective and free of corruption. Its people are united in its support." The senator then urged the Johnson Administration to proceed at once with the sale of 50 Phantom jet fighters to the Israeli Air Force and to cut off economic aid to the Arab countries. This whole episode made Sirhan very angry, Shereif recalls. "He left the room putting his hands on his ears and almost weeping."

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I asked Sirhan's mother why she thought her son had shot Kennedy. "Everything in this country was helping Sirhan," she maintained. "It was pushing him to the danger point. Everything, the propaganda of the Zionists, everything, was against his country, against his people."

Adel described Sirhan's current state of mind: "He feels he has done a terrible thing, but he feels now it is too late to be sorry. Now he wants Americans to listen to something they have never listened to."

And at their first meeting in the jail, Sirhan's mother said to him, "Shame on you. Why have you done such a thing?" He replied, "It's too late to speak of it. But all the Americans will know why."

—MAHMOUD ABDEL-HADI

[Assassinations]

EPSTEIN'S GARRISON

TWO SUMMERS AGO a tandem attack on the Warren Report all but relegated that work to the fiction section of your local library. The first was Mark Lane's *Rush to Judgment*, which convincingly demonstrated—using the Warren Commission's own evidence—that Oswald could not have done it alone, and drew the first dim outlines of the conspiracy theory. The second was Edward Jay Epstein's *Inquest*, which exposed the rather shoddy inner workings of the Commission and laid bare the tortured logic it finally employed to dispel notions of a conspiracy.

Both books became best sellers, but their authors have since gone different ways. Lane, who shuttered his law practice and struggled for years to get his manuscript published in the United States (it was first published in Britain), has stumped the country in support of District Attorney Jim Garrison's theory that the assassination was carried out by an anti-Castro paramilitary team supervised by persons with CIA affiliations. Epstein, whose book was a converted Cornell University master's thesis—the subject was urged upon him by his mentor, Andrew Hacker—has emerged as one of Garrison's most fervid accusers. His vehicle is The New Yorker: in the issue of July 13, he delivered a 25,000-word blast at Garrison, calling the DA's investigation a fraud.

The New Yorker article had its genesis over a year ago, when the author showed up at Garrison's office in New Orleans. According to Chief Investigator Louis Ivon, Epstein spent about 48 hours in town, some three hours at the office, and hasn't been seen since. Much of what he writes about has occurred since this touch-and-go visit and is obviously hearsay on his part, yet he writes with the authoritative tone of a participant. Undoubtedly this technique is convincing to his audience, which assumedly is unfamiliar with the intricacies of Garrison's investigation. But to those familiar with the facts, the article is badly slanted.

For example, Philosophy Professor Richard Popkin of the University of California at San Diego, author of the book *The Second Oswald* (propounding the theory of an Oswald double) and "Garrison's Case" in The New York Review of Books (September 14, 1967), recently commented on the article: "I found it a queer mix of facts, half-facts, rumors and very dubious information from people hostile to Garrison. Epstein has compressed all this to make it look like everything's on the same level. I think it would take an awful lot of work to disentangle what he's saying on almost any page as to how much of it has a factual base, how much of it is rumor that he has heard from people, how much of it are charges that have been made by people like [William] Gurvich [who volunteered to work on the investigation without pay, passed himself off as the Chief Investigator, then turned on Garrison] against Garrison, which haven't been substantiated anywhere except by Gurvich's statement of them. And also that he tends to take facts and information and rumors and so on, that occurred over a year and a half's period, and compress them all into simultaneous events, so that a statement made by Garrison at one time is pounced upon on the basis of information or statements he made a year and a half later in a totally different context. So I think it's a quite unfair presentation, which has some factual base, but which also has a lot of very dubious elements in it."

One of the dubious elements is Epstein's version of the testimony of Dean Andrews Jr., a colorful attorney who numbers among his former clients Oswald (who wanted his undesirable discharge from the Marine Corps rectified) and the late David William Ferrie, a central figure in the Garrison investigation. The day after the assassination, Andrews told the Commission he received a phone call from a man he knew as Clay Bertrand, whom he described as a "lawyer without a briefcase" for local homosexuals. Bertrand asked him to go to Dallas and defend Oswald. Garrison contends Bertrand is Clay Shaw, whom he has charged with conspiracy.

According to Epstein, Andrews initially gave the FBI "several different descriptions" of Bertrand, and finally admitted that Bertrand "was merely a figment of his imagination." Later, before the Commission, Andrews stated that he had recently seen Bertrand in a bar and, Epstein says, described him as "a boy" who was "five feet eight inches" and had "sandy hair." No other clues to Bertrand's identity turned up, however, "writes Epstein," and Wesley J. Liebeler, a Commission lawyer who conducted the investigation in this area, said he was convinced that no such person existed."

An objective reading of Andrews' testimony, however, reveals that he told the FBI that Bertrand was "approximately six feet one inch to six feet two inches in height, brown hair, and well dressed"—a description that closely matches the tall, aristocratic Shaw. As for Bertrand being a figment of his imagination, Andrews declared, "That's what the Feebees [FBI] put on." He recounted that G-men had pestered him to the point where he told them, "Write what you want, that I am nuts. I don't care." As for his later remark to the Commission's Mr. Liebeler that Bertrand was only five feet, eight inches, Andrews explained that "this time I was looking for the fellow, he was sitting down." Nowhere does he refer to Bertrand as a "boy." Epstein was perhaps confused by his exclamation: "I don't play Boy Scout and measure them."

In his superficial examination of Gar-

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Sketch by Mary Morbell

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rison's case, Epstein evidently failed to check the police records prepared upon Shaw's arrest. Thoroughly shaken by the arrest, Shaw blurted out, according to Patrolman Aloysius Habighorst, that he had used the alias "Clay Bertrand." The alias was duly entered on the fingerprint card and booking sheet.

One of the most fascinating characters in the conspiracy drama is Richard Case Nagell, a former U.S. Intelligence agent who claims he encountered Oswald in Mexico City in 1963, and had been instructed by his spy superiors to determine if the rumors of an assassination attempt had any foundation. Nagell says he learned that the first attempt against Kennedy was scheduled for September 26 in Washington, D.C., and that Oswald (who crossed the border into Mexico the day before) was to be set up as the "patsy" and shot in front of the Cuban Embassy in Mexico City. When the anti-Castro paramilitary team could not penetrate the Presidential security in Washington, Oswald got a reprieve. But Nagell, who says he was sure the attempt would come off but failed to get the FBI to listen, faked a bank robbery in El Paso on September 20 so that he would be arrested and in federal custody when the assassination occurred.

Epstein dismisses Nagell as being mentally unbalanced, noting that "court records indicated that Nagell had suffered brain damage in an airplane crash in 1957" and that, following the bank episode, he was "an inmate of a federal institution for the criminally insane in Springfield, Missouri." As he does so frequently throughout the article, Epstein delivers a version which if developed fully would throw a different light on the matter. Nagell *was* in a plane crash, but he was given Intelligence training *after* his recovery, indicating that he had no permanent brain injury. Moreover, the fact that he stood trial implies that he was legally sane. Recently, he was released from Leavenworth Penitentiary—he had been at Springfield only temporarily.

The publication of the Epstein article came at an opportune time for Clay Shaw. Obtaining advance copies, Shaw attorneys entered it as evidence before a three-judge federal panel which was hearing arguments that the DA was "conducting a reign of terror" and "persecuting" the defendant. Apparently the panel was unimpressed, for it unanimously rejected the defense's argument and ordered the case to trial.

If Garrison does get his day in court—a day Epstein has struggled to deny him—chances are his case will hold up better than The New Yorker's brief for the defense.

—WILLIAM TURNER

[Law]

"HERE COME DE JUDGE"

CONSIDER THE REVOLT ON THE LEFT if the following occured:

The President, on the eve of his abdication, arranged to accept the resignation of the chief justice of the United States Supreme Court in order to replace him with the President's former lawyer, then an associate justice;

As a parlay, the President submitted to the Senate the name of his oldest hand-holding crony to fill the vacancy created by the promotion of his former lawyer;

The chief justice, who had written a famous report designed to satisfy the people that the assassination of the President's predecessor was sans conspiracy and the sole act of a demented mind, conditioned his resignation on the Senate's approval of the appointments;

The President's ex-lawyer, when called to testify before a Senate committee, conceded that during his three years on the high court he had continued to act as the President's advisor;

That pursuant to this role, he had sat in on numerous cabinet-level meetings, but that he had merely "summarized" the views of others for the benefit of the President;

That as a justice he had dressed down a prominent businessman who had criticized war spending, though whether his call was made at the President's request he could not say and remain faithful to the Separation of Powers;

That the businessman had retracted his statement, though in the end it proved to be accurate;

That the justice could not answer questions concerning his judicial opinions since the Constitution specifies that members of Congress may not be questioned about their acts in any place other than in Congress;

That despite this asserted Constitutional bar, the justice pointed to his dissenting vote against extending the one-man-one-vote principle to local government as proof of his devotion to State's rights;

That although he had been at the President's disposal as advisor-summarizer, he had never been involved in discussions that could conceivably reach the Court;

That the issues under discussion at the top-level meetings had ranged from the Vietnam War to riots in the cities;

That the justice had voted to jail draft card burners and had voted against taking up for consideration the legality of the war;

That he voted to give the police sweeping rights to stop-and-frisk suspects on suspicion alone;

That within two *months* of his proposed elevation he had authored a booklet, "Concerning Dissent and Disobedience," which limited the *moral* right to disobey laws to those "basically offensive to fundamental values of life or the Constitution" and held that even in such cases no legal defense could be urged, but jailing must be willingly accepted;

That shortly after the book was published, the justice denounced, in a rare interview from Washington, the activities of some of the Columbia University protestors as "totally inexcusable from the point of even primitive morality";

That during his first term on the Court, he cast the deciding vote upholding the conviction and five-year sentence of Ralph Ginzburg for "pandering" a non-obscene magazine;

That during each of his three terms he nearly always voted for business interests and against efforts to cut down the trusts;

That throughout his years on the Court he was widely rumored to have been one of the President's most hawkish advisors on the Vietnam War.

Consider the revolt on the left if anything like this happened in 1968.

—SIDNEY E. ZION